



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
1322 PATTERSON AVENUE SE SUITE 3000
WASHINGTON NAVY YARD DC 20374

IN REPLY REFER TO:
5720
Ser 14/282
August 8, 2018

Mr. William Nye
251 Tiffany Avenue
Warwick, RI 02889
Email: bill20071@outlook.com

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST DON-NAVY-2017-008853;
FOIA APPEAL DON-NAVY-2018-008567

This responds to your FOIA appeal submitted in FOIA Online on June 14, 2018. Your appeal challenges the unreasonable delay and non-response of Commander, Naval Sea Systems Command (NAVSEA) to your underlying FOIA request DON-NAVY-2017-008853.

Your appeal is a request for a final determination under the FOIA. For the reasons stated below, your appeal is denied as moot.

This appeal decision follows up on and completely supersedes my decision of July 13, 2018, after I became aware that my previous letter incorrectly cited the date of NAVSEA's final response letter to you as July 13, 2018, when instead it was dated July 11, 2018.

Following submission of your appeal, my office confirmed that NAVSEA responded to your underlying request via letter dated July 11, 2018, with accompanying documents responsive to your FOIA request. Based on this fact, your appeal of NAVSEA's alleged unreasonable delay and non-response to your request is now moot. To the extent you wish to challenge NAVSEA's substantive response to your request, you may do so only via a separate, new appeal which must be received in my office no later than 90 calendar days from the date of NAVSEA's final response to you.

As the Department of the Navy's designated adjudication official for this FOIA appeal, I am responsible for the denial of your appeal. You may seek judicial review of this decision by filing a complaint in an appropriate U.S. District Court. My office represents the U.S. government and is therefore unable to assist you in this process. If you would like to seek dispute resolution services, you have the right to contact the Department of the Navy's FOIA public liaison, Mr. Chris Julka, at christopher.a.julka@navy.mil or (703) 697-0031. If you have further questions or concerns for my office, my point of contact is LCDR Adam Yost, JAGC, USN, who may be reached at adam.yost@navy.mil or (202) 685-5398.

Sincerely,

G. E. LATTIN
Director
General Litigation Division

Copy to:
NAVSEA
DNS-36
DON CIO